UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (NO. VI)

MDL DOCKET NO. 875

This Document Relates To: GEORGE LOUIS SMITH vs. CERTAINTEED CORP., ET AL.

> IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIF SOUTHERN DIVISION

SOUTHERN DISTRICT OF MISSISSIPPI FILED OCT 1 3 2006

GEORGE LOUIS SMITH

PLAINTIFF

VS.

CIVIL ACTION NO.: 1:06CV279WJG

CERTAINTEED CORP., ET AL.

DEFENDANTS

AGREED ORDER OF DISMISSAL WITHOUT PREJUDICE

This cause, having come on to be heard on the motion *ore tenus* of the Plaintiff and these Certain Defendants, identified on Exhibit "A", for the dismissal of claims against these Certain Defendants without prejudice. The Court, having considered said motion and being fully advised in the premises, finds that the motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Complaint, all amendments thereto, and all claims and causes of action encompassed by the Complaint, and amendments thereto, including all claims or causes of action which were, or might have been, asserted by this Plaintiff against these Certain Defendants, identified on Exhibit "A", shall be and are hereby dismissed without prejudice, with each party to bear their own costs of Court.

IT IS FURTHER ORDERED AND ADJUDGED that this dismissal is effective solely with regard to the claims of the Plaintiff against only these Certain Defendants identified on Exhibit "A", and does not affect the rights of any other party to this action.

SO ORDERED, this the 20th day of September, 2006.

8. DISTRICT COURT JUDGE

James T. Giles

AGREED TO AND APPROVED BY:

Michael Weber, Esq.

LEBLANC & WADDELL, LLP

Jessica B. DeGroote, Esq.

Simine B. Reed, Esq.

Forman Perry Watkins Krutz & Tardy LLP

ATTORNEY FOR PLAINTIFF

ATTORNEYS FOR CERTAIN DEFENDANTS

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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CIVIL ACTION NO.: 1:06CV279WJG

CERTAINTEED CORP., ET AL.

DEFENDANTS

EXHIBIT "A"

These Certain Defendants are hereby dismissed by this Order as follows:

- 1. Abex Corporation, Individually and as Successor in Interest to: American Brake Shoe Company, Kellogg-American Compressors Co., American Manganese Steel Division, American Brake Shoe Company
- 2. Accurate Felt & Gasket Co.
- 3. Amchem Products, Inc.
- 4. Ametek, Inc.
- 5. A. R. Wilfley & Sons, Inc.
- 6. AstenJohnson, Inc., Individually and as Successor in Interest to Asten, Inc. and Asten Group, Inc.
- 7. Aurora Pump Co.
- 8. Babbitt Steam Specialty Company
- 9. BOC Group, Inc. As Successor-in-Interest to Airco, Inc. and Airco Delaware, Inc.
- 10. Branton Insulations, Inc.
- 12. Clemco Industries, Inc.
- 13. Crossfield Products Corporation
- 14. DeZurik, Inc.

- 15. Dover Corporation
- 16. Eastern Safety Equipment Company
- 17. Fisher Tank Co.
- 18. Foseco
- 19. General Electric Company
- 20. Georgia-Pacific Corporation
- 21. The Gorman-Rupp Company
- 22. Hobart Brothers
- 23. Illinois Tool Works, Inc.
- 24. Ingersoll-Rand Company
- 25. Jamestown Metal Marine Sales, Inc.
- 26. Kamco Supply Company
- 27. Komp Equipment Company, Inc.
- 28. Laurel Machine and Foundry Company
- 29. Magnetrol International Incorporated
- 30. Moldex Metric, Inc.
- 31. Marine Specialty Company, Inc.
- 32. McMaster-Carr Supply Co.
- 33. Nibco, Inc. a/k/a Northern Indiana Brass Co.
- 34. National Service Industries, Inc.
- 35. Owens-Illinois, Inc. d/b/a O-I
- 36. Pangborn Corporation
- 37. Parker-Hannifin Corp.
- 38. Pecora Corporation
- 39. Phoenix Specialty Mfg. Co., Inc.
- 40. Pneumo Abex Corporation
- 41. Ransburg Corp., formerly DeVilbiss Industries Products Corp., Successor to DeVilbiss Company
- 42. SPX Corporation
- 43. Terex Corporation
- 44. United Gilsonite Laboratories, Inc.
- 45. United Industrial Corporation, Individually and on behalf of and as successor in interest to Detroit Stoker Company and American Engineering Co.
- 46. Union Carbide Corporation
- 47. Vellumoid, Inc.
- 48. Velan Valve Corporation
- Warren Pumps, Individually and as Successor in Interest to William E. Quimby, Inc. and Quimby Pump Co. and as Successor in Interest to William E. Quimby, Inc. and Quimby Pump Co.
- 50. Yuba Heat Transfer Company
- 51. Zurn Industries, Inc.